

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9789

IN THE MATTER OF:

Served August 2, 2006

CUSTOM TOURS OF WASHINGTON, INC., )  
Suspension and Investigation of )  
Revocation of Certificate No. 43 )

Case No. MP-2006-046

This matter is before the Commission on respondent's response to Order No. 9667, served June 16, 2006.

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 43 for a minimum of \$5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 43 was automatically suspended on April 15, 2006, pursuant to Regulation No. 58-02 when the \$5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 9492, served April 17, noted the automatic suspension and gave respondent thirty days to replace the terminated endorsement, and pay a \$50 late fee as required by Commission Regulation No. 67-03(c), or face revocation. Certificate No. 43 was revoked when respondent did not comply.

Under Title II of the Compact, Article XIII, Section 4(a), respondent had thirty days to challenge Order No. 9667. Respondent timely challenged the order on June 30, asserting that the necessary "insurance papers" had been filed and the \$50 late fee paid.

Although the necessary WMATC Insurance Endorsement was on file with the Commission when Order No. 9667 was issued on June 16, the record is clear that respondent had yet to pay the \$50 late fee. Consequently, it was not error for the Commission to issue Order No. 9667. However, considering that respondent is now in compliance with Order No. 9667, we will reopen this proceeding on our own initiative and reinstate Certificate No. 43.<sup>1</sup>

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

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<sup>1</sup> See *In re Yahweh & H.L.R. Corp.*, No. MP-01-97, Order No. 6487 (Jan. 9, 2002).